

REMARKS

Reconsideration of the above-identified application is respectfully requested.

Claims 1-4 have been rejected under 35 USC §112, first paragraph, as containing subject matter which is not described in the specification. In support of this rejection, the Examiner stated that the previous amendment to Claim 1, "said composition being free of ethylene glycol mono-butyl ether", was not found in the specification and therefore is new matter. Claim 1 has been amended to delete this phrase from the claims and therefore the rejection should be withdrawn.

The Examiner also questioned the typographical error in the chemical formulation in Claim 1. The typographical error has been amended in the claim being filed herewith. Therefore, the rejection should be withdrawn.

The Examiner has rejected Claims 1-4 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter the applicant regards as the invention. The correction to the formula as noted above, has been made in the currently amended claim.

Claim 2 has been rejected for stating that the diethylene glycol monobutyl ether and triethylene glycol monobutyl ether do not have an antecedent basis in Claim 1 for the ether limitations. The correct chemical formulation has been inserted in the currently amended claim, and therefore this rejection should be withdrawn.

The claims have been rejected under 35 USC §103(a) as being obvious over JP 63-069897A. According to the Examiner, the JP reference describes a cleaner composition comprising 5-95% of one or more amines of mono-, di- and triethanol amines 0.2-5.0% of one or more high boiling point solvents comprising diethylene glycol monobutyl ether and benzyl alcohol used for removal of heavy dirt attached to hard surfaces. The Examiner believes that the JP reference teaches all components recited in present Claim 1, parts (a)-(c) and all that the components amounts taught by the JP reference encompass and/or overlap with the parameters recited in present Claim 1.

The currently amended claim has modified the transition term from "comprising" to "consisting essentially of" in order to limit the number of elements which follow the term. In this regard, ethylene glycol monobutyl ether is excluded from the claims of the present invention. This amendment clearly distinguishes the claimed invention from the

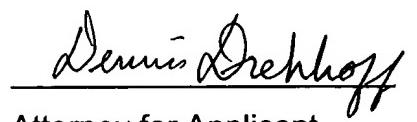
JP reference. On page 2 of the English translation of the JP, paragraph b, it is noted that ethylene glycol monobutyl ether is a component of the cleaner composition. In addition, the cleaner composition of the JP reference requires the use of one or more surfactants that are soluble in cleaner solutions solvents, such as non-ionic surfactants, anionic surfactants and amphoteric surfactants which are effective for alkali-aqueous-solution type cleaning and for solvent type cleaning, the preferred surfactants are non-ionic surfactants and anionic surfactants. The presently claimed invention has no requirement for surfactants. It would not be obvious to one skilled in the art to study the JP including the myriad listing of amines, high boiling point solvents, and the use of harsh chemicals such as sodium hydroxide or potassium hydroxide in combination with alkali-aqueous-solution type cleaning or the use of trichloroethylene and 1,1,1-trichloroethane for solvent type cleaning and be led to the currently claimed invention. The composition of Claim 1 has been shown to remove aqueous polymer floor polish without having the harsh ingredients described in the JP reference for hard to clean heavy substances. Therefore, the JP reference cannot render obvious the currently claimed invention.

It is respectfully suggested that the currently claimed invention meets the requirements of 35 United States Code and early and favorable consideration is respectfully requested.

Respectfully submitted,

June 5, 2003

Date


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GROUP 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Mitsuo SADO)
SERIAL NO: 09/117,795)
FILED: August 13, 1998) Group Art Unit: 1774
TITLE: Releasant for Aqueous Polymer-Type Floor Polish) Examiner: D. Garrett

THE ASSISTANT COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

MARKED VERSION OF CLAIM 1

1. A releasing agent composition for use in removing an aqueous polymer floor polish, which [comprises as] consists essentially the essential components
 - (A) 5 to 75% by weight of a water-soluble organic solvent represented by the formula $[C_4 H_9-O-(CH_2CH_2O)N_H] C_4 H_9-O-(CH_2CH_2O)_N H$ where n is an integer of 2 or 3,
 - (B) 15 to 40% by weight of benzyl alcohol, and
 - (C) 10 to 20% by weight of an amine compound[, said composition being free of ethylene glycol mono-butyl ether].



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FILED: August 13, 1998) Examiner: D. Garrett
TITLE: Releasant for Aqueous Polymer-Type Floor Polish

THE ASSISTANT COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

CLEAN VERSION OF CLAIM 1

1. A releasing agent composition for use in removing an aqueous polymer floor
polish, which consists essentially the essential components
(A) 5 to 75% by weight of a water-soluble organic solvent
represented by the formula $C_4 H_9-O-(CH_2CH_2O)_nH$ where n is an
integer of 2 or 3,
(B) 15 to 40% by weight of benzyl alcohol, and
(C) 10 to 20% by weight of an amine compound.
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